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EXAMINER

MORRISON, THOMAS A

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CHERNG LINN TEO and DENNIS CHUA

Appeal 2009-005919
Application 10/808,224
Technology Center 3600

Decided: March 31, 2010

Before WILLIAM F. PATE III, STEVEN D.A. McCARTHY
and STEFAN STAICOVICI, *Administrative Patent Judges*.

McCARTHY, *Administrative Patent Judge*.

DECISION ON APPEAL

1 The Appellants appeal under 35 U.S.C. § 134 from the Examiner's
2 decision rejecting claims 18-22 under 35 U.S.C. § 102(e) as being
3 anticipated by Sakuma (US 2006/0164491, issued Jul. 27, 2006). We have
4 jurisdiction under 35 U.S.C. § 6(b).

5 We REVERSE.

1 Claim 18 is the sole independent claim on appeal:

2 18. An inkjet printer comprising:

3 a printhead for printing a media sheet;

4 a front duplex module comprising: (i) a
5 media path entry where a media sheet to be printed
6 can enter; (ii) a linefeed-roller assembly
7 configured to transport the media sheet entering
8 the media path entry toward the printhead to
9 enable printing on a first side of the media sheet;
10 (iii) an output-roller assembly configured to
11 advance the media sheet in a forward direction or
12 to reverse the media sheet in a reverse direction,
13 wherein a simplex media path is defined between
14 the linefeed-roller assembly along the simplex
15 media path but upstream from the output roller
16 assembly; and

17 a back duplex module detachably coupled to
18 the front duplex module, said back duplex module
19 being configured to provide a single, unidirectional
20 loop path for flipping the media sheet one time to
21 thereby enable printing on a second side of the
22 media sheet, wherein said loop path has an entry
23 portion that is positioned next to the media path
24 entry for receiving the media sheet from the front
25 duplex module and an exit portion that is aligned
26 to the simplex media path,

27 wherein the front duplex module and the
28 back duplex module are configured to provide a
29 duplex media path that includes said loop path, and
30 a duplex path entry that is positioned adjacent to
31 the output-roller assembly but downstream from
32 the printhead so as to enable a trailing edge of the
33 media sheet to enter the duplex media path, and

34 wherein a portion of the linefeed-roller
35 assembly is positioned adjacent to the duplex
36 media path such that, after the trailing edge of the

media sheet entered through the duplex path entry,
the trailing edge must bypass said portion of the
linefeed-roller assembly and the media path entry
before entering the loop path.

Sakuma discloses an ink-jet recording apparatus with a carriage 3
including a recording head 4; a conveying part for conveying each sheet of
paper 12 below the recording head 4; and a duplex paper feed unit 51.
(Sakuma 3, ¶ 0047; 4, ¶ 0052; and 5, ¶ 0067). The conveying part includes a
conveyor belt 21 mounted on a conveying roller 27 and a tension roller 28.
(Sakuma 4, ¶¶ 0052 and 0053). The apparatus also includes a paper ejection
part including paper ejection rollers 42, 43. (Sakuma 5, ¶ 0066).

The conveyor belt 21 is driven by the conveying roller 27 beneath a
driven counter roller 22 aligned with the conveying roller 27. (Sakuma 5, ¶
0069). Sheets of paper 12 fed from a paper feed part are conveyed by the
conveying belt 21 below the recording head 4. (Sakuma 4, ¶ 0052). In the
case of duplex printing, the conveyor belt 21 is then rotated in an opposite
direction toward the duplex paper feed unit 51. The rotation of the
conveying belt 21 is reversed again to convey the sheet of paper 12 received
from the duplex paper feed unit 51 below the recording head 4. (Sakuma 6,
¶ 0079).

The Examiner finds that Sakuma's ink-jet printing apparatus has a
front duplex module including the conveying feed part; the paper ejection
rollers 42, 43 and a paper ejection tray 44. (Ans. 3). The Examiner also
finds that Sakuma's apparatus includes a back duplex module, namely, the
duplex paper feed unit 51. (Ans. 4). More specifically, the Examiner finds
that Sakuma's apparatus includes a linefeed-roller assembly comprising a
paper feed roller 13 and the conveying roller 27. The Examiner also finds

1 that Sakuma's apparatus includes an output-roller assembly including one or
2 more of the tension roller 28 and the paper ejection rollers 42, 43. (Ans. 3).

3 The Examiner interprets the limitation requiring "a duplex path entry
4 that is positioned adjacent the output-roller assembly but downstream from
5 the printhead" functionally. That is, the Examiner observes that Sakuma
6 reverses the direction of the sheet of paper 12 when conveying the paper
7 toward the duplex paper feed unit 51. Consequently, the Examiner interprets
8 the term "downstream from the printhead" in the fourth indented clause of
9 the body of claim 18 as indicating the side of the printhead opposite the
10 output-roller assembly. (Ans. 9). The Examiner finds that Sakuma's
11 apparatus includes a duplex path entry near an edge pressure roller 25
12 located approximately at the apex of the conveying roller 27. (Ans. 4). This
13 "duplex path entry" is located at the opposite side of the recording head 4
14 and of the conveying belt 21 from the tension roller 28 and the paper
15 ejection rollers 42, 43 which the Examiner identifies as the output-roller
16 assembly.

17 A claim under examination is given its broadest reasonable
18 interpretation consistent with the underlying specification. *In re Am. Acad.*
19 *of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004). In the absence of
20 an express definition of a claim term in the specification or a clear
21 disclaimer of scope, the claim term is interpreted as broadly as the ordinary
22 usage of the term by one of ordinary skill in the art would permit. *In re*
23 *ICON Health & Fitness, Inc.*, 496 F.3d 1374, 1379 (Fed. Cir. 2007); *In re*
24 *Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997). Properties of preferred
25 embodiments described in the specification which are not recited in a claim
26 do not limit the reasonable scope of the claim. *E-Pass Techs., Inc. v. 3Com*

1 *Corp.*, 343 F.3d 1364, 1369 (Fed. Cir. 2003). Nevertheless, where possible,
2 claim language should be construed sufficiently broadly to encompass at
3 least one preferred embodiment disclosed in the specification. *Hoechst*
4 *Celanese Corp. v. BP Chems. Ltd.*, 78 F.3d 1575, 1581 (Fed. Cir. 1996).

5 If the Examiner's interpretation of claim 18 were applied to the
6 embodiments disclosed in the Appellants' Specification and drawing figures,
7 none of the Appellants' preferred embodiments would be covered. Each
8 would have a duplex path entry 326 located on the wrong side of the print
9 head 306. Since the claims are susceptible of a reasonable interpretation
10 which does cover the Appellants' preferred embodiment, the Examiner's
11 interpretation of the limitation requiring "a duplex path entry that is
12 positioned adjacent the output-roller assembly but downstream from the
13 printhead" is unreasonable. A more reasonable interpretation of the
14 limitation, consistent with the Appellants' Specification, would define the
15 terms "upstream" and "downstream" consistently throughout claim 18,
16 interpreting the term "downstream from the printhead" as implying a
17 position beyond the printhead in the direction in which paper travels while
18 the printhead is actively printing the paper.

19 When the limitation requiring "a duplex path entry that is positioned
20 adjacent the output-roller assembly but downstream from the printhead" is
21 interpreted in this manner, the limitation is not met by the elements of
22 Sakuma's apparatus identified by the Examiner. The Examiner has
23 identified no other elements of Sakuma which this limitation might cover.
24 Therefore, we do not sustain the rejection of independent claim 18 or of its
25 dependent claims 19-22 under § 102(e) as being anticipated by Sakuma.

DECISION

We REVERSE the Examiner's decision rejecting claims 18-22.

REVERSED

mls

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